

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

Martha Verver, et al., Plaintiffs,)
)
vs.) Case No.: 05-0215-CV-W-FJG
)
Troutman Transportation, L.C., et al.,)
)
 Defendants.)

**ORDER APPROVING
SETTLEMENT AND FOR COLLECTION
AND DISTRIBUTION OF PROCEEDS**

This matter is before the Court on Plaintiffs' Motion for Approval of Settlement and for Order under Section 537.095 R.S.Mo. A hearing on the approval of said settlement was held July 18, 2005. The Motion being presented, and being duly advised in the premises, the Court does hereby, pursuant to Section 537.095 R.S.Mo.,

Order as follows:

1. Settlement of this wrongful death action, for a payment of \$450,000.00, to be paid by Defendant to Plaintiffs is hereby approved.
2. Plaintiffs shall collect and receive the settlement amount and is authorized to receipt therefore and, upon such payment, to stipulate for dismissal of this cause.
3. From the settlement proceeds of \$450,000.00, Plaintiff shall pay to the attorney of record for Plaintiffs herein, the sum of \$180,000.00 as and for their attorney's fees in this cause as well as \$5,584.54 for expenses and costs incurred for the total amount.
4. The balance of the settlement proceeds, shall be distributed as follows:
 - a) \$104,415.46 shall be initially paid to Martha Verver;
 - b) \$60,000.00 shall be invested in an annuity for the benefit of Martha Verver and her minor children.
 - c) \$25,000.00 shall be invested in an annuity for the benefit of Erik Verver;

- d) \$25,000.00 shall be invested in an annuity for the benefit of Krystal Verver;
- e) \$25,000.00 shall be invested in an annuity for the benefit of Tony Verver; and
- f) \$25,000.00 shall be invested in an annuity for the benefit of Martin Verver Jr.

The annuities set forth above will pay consistent with the terms set forth on Exhibit 1 attached hereto and incorporated herein by reference.

5. Upon making payments ordered in Paragraphs 3 and 4 of this order, Plaintiff shall file herein written receipts therefore and the same shall be the accounting to this Court of the compliance herewith.

IT IS SO ORDERED.

/s/Fernando J. Gaitan, Jr.
Fernando J. Gaitan, Jr.
United States District Judge

Dated: July 18, 2005
Kansas City, Missouri